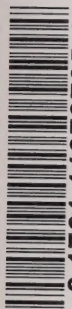


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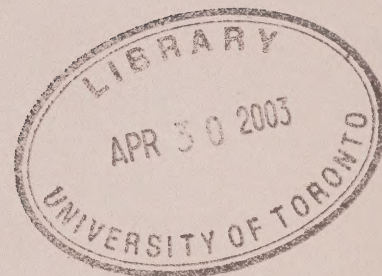
EQUAL

Opportunity

in Ontario

The principles, objectives and strategies
behind equal opportunity — and how they
give Ontario employers a competitive edge.

Fair
Barrier-free
Merit-based



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Equal Opportunity

"Forward-thinking Canadian organizations have recognized that competing successfully in the new global marketplace requires more than the latest technology, most efficient production processes or most innovative products. Canadian organizations' competitive strength is increasingly contingent on human resources."

Dimensions of Diversity in Canadian Business, The Conference Board of Canada

WHAT IT MEANS

The Government of Ontario's approach to equal opportunity supports efforts to create workplaces where merit is the basis of employment practices. It is inclusive and voluntary and is built on partnerships among employers, employees and government.

Equal opportunity in the workplace produces a number of benefits.

It can enhance an organization's competitive edge by supporting employer and employee efforts to utilize fully the many and varied skills of all members of a diverse labour force.

It helps generate new ideas, creativity and innovation by enabling job applicants and current employees to put their individual skills and talents to productive use.

And it promotes a work environment which respects, values and accommodates the different perspectives and needs of the many individuals who make up today's labour force.

EQUAL OPPORTUNITY PRINCIPLES

A number of Ontario employers and employees have already implemented equal opportunity projects in their workplaces. Their approaches have been different, because they have been tailored to the particular needs of their own organizations. Most acknowledge the basic principles of equal opportunity which support workplaces where:

- employment decisions are made on the basis of individual merit and ability;
- each individual is treated with dignity and respect;
- action is taken to eliminate discrimination and harassment; and
- barriers that prevent people from having a fair chance to participate and succeed in the workplace are identified and removed.

"The rich diversity that makes Canada strong and competitive on the world stage is reflected in our people and processes. Changing workforce demographics, client composition and the globalization of business shape the way we work."

Excerpted from Ernst & Young's Web site

An Equal Opportunity Framework for Ontario

"Small- and medium-size businesses support the elimination of discrimination and the promotion of equality of opportunity in the broadest sense. The equal opportunity approach, with its focus on education on the issues combined with practical assistance, is much better suited to small business job creators than heavy-handed regulation with its attendant paper and compliance burden."

Catherine Swift, President, Canadian Federation of Independent Business

On December 14, 1995, the government outlined its Equal Opportunity Plan in the Ontario Legislature. The government's approach is one of fairness in the workplace, merit-based, inclusive, voluntary and built on partnerships. It is based on co-operation, not coercion, and will encourage all of us — government, employers and employees — to work as partners to develop workplaces where merit is the basis for employment practices.

The foundation for the Equal Opportunity Plan is the *Human Rights Code*, under which discrimination is against the law.

The plan acknowledges that certain barriers may prevent employers from identifying the best people for jobs, promotions and training opportunities, and may prevent employees — particularly persons with disabilities — from maximizing the use of their particular abilities. The government's approach recognizes that removing barriers to opportunity is not only good business sense, but also common sense.

THE ONTARIO HUMAN RIGHTS CODE

The Ontario *Human Rights Code* protects all Ontarians against discrimination in the areas of: goods, services and facilities, housing, employment, contracts and membership in vocational associations and trade unions. The goal of the Ontario *Human Rights Code* is to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination so that each person feels a part of the community and able to contribute fully to the development and well-being of the community and the Province.[Preamble] Among other things, the *Code* is intended to promote equality in employment regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status or handicap. [OHRC Grounds, s. 5(1)]

The *Code* is built upon the principle that employment decisions should be based on merit, and not on criteria that are unrelated to job performance. The right to “equal treatment with respect to employment” prescribed in Section 5 of the *Code* covers all aspects of employment including recruitment, hiring, training, transfer, promotion, apprenticeship terms, dismissal and layoffs. It also covers terms and conditions of employment — such as discipline and performance evaluation.

The *Code* also allows employers, if they wish, to implement “special programs” intended to “relieve hardship or economic disadvantage.” This “special programs” provision allows an employer “to assist disadvantaged persons or groups to achieve

(or attempt to achieve) equal opportunity.” These employer-initiated “special programs” can work to “contribute to the elimination of the infringement of rights” to equality in employment. [OHRC s.14(1)]

The *Code* also provides that employees have a right to be free from harassment in the workplace on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, same-sex partnership status, family status or handicap. [OHRC s.5(2), 7(2) (3)] The employer’s responsibility to prevent or stop harassment is recognized in policy statements and case law.

Under the *Code*, employers are required to accommodate the needs of job applicants and employees who are protected by the *Code* (such as persons with disabilities), unless to do so would cause undue hardship. Employers and employees should work together constructively to determine accommodation requirements and solve problems as they arise. Unions have an equal responsibility to accommodate the needs of their members with respect to matters covered by their collective agreements.

For further information, contact the Ontario Human Rights Commission at:

Web site: <http://www.ohrc.on.ca/>

Telephone:	416 314-4500	TTY:	416 314-4493
	1 800 387-9080		1 800 308-5561

Equal Opportunity at Work

"Diversity can help organizations: identify and capitalize on opportunities to improve products and services; attract, retain, motivate and utilize human resources effectively; improve the quality of decision-making at all organizational levels; and reap the many benefits from being perceived as a socially conscious and progressive organization. These benefits should be manifested in an improved bottom line and maximization of shareholder value."

Dr. Jeffrey Gandz, Professor, Richard Ivey School of Business, The University of Western Ontario

Today's workforces are much more varied than they used to be. They are composed of employees of different ages, from different social and economic and racial and cultural backgrounds, with different levels of education, different lifestyles and life experiences, and different mental and physical abilities.

Employers are recognizing the competitive advantage to be gained by using the different skills and perspectives these employees bring to the workplace, and they are creating work environments that accept, value and accommodate differences and that foster stimulating, rewarding and productive working relationships among all employees.

Employers that have recognized the importance of building equal opportunity workplaces also find that they are better able to take advantage of a changing marketplace, identify and serve the needs of diverse customers, clients and communities, and attract and retain a motivated workforce.

Employees benefit from equal opportunity because it bases employment decisions on merit and provides job applicants and current employees with a fair chance to compete for employment opportunities and to maximize the use of their skills once they enter the workforce.

In today's competitive economy, knowing how to make the most of the collective input of the wide range of ideas and perspectives that diverse employees bring to the workplace improves an organization's ability to achieve its corporate and business objectives.

"Canada is a nation whose strength and success has historically come from its people. Today, as we increasingly become a knowledge-based economy, it will once again be our people who will set us apart. Ensuring a society where all citizens feel valued and can contribute to their full potential is key. It's up to all of us to ensure that the steps are taken within our organizations to provide an equitable workplace."

John D. Wetmore, President and CEO, IBM Canada Ltd.

Letter from the Chairman

At its core, IBM is a technology company. But we never lose sight of the fact that in the world's fastest-moving, most hypercompetitive marketplace, we can't succeed unless we can also field the best talent in our industry.

So our commitment to build a workforce as broad and diversified as the customer base we serve in more than 160 countries around the world isn't an option. For us, this is a business imperative as fundamental as delivering superior technologies to the marketplace. And to ensure that these talented people can contribute at the highest possible level, we insist on a workplace that is free of discrimination and harassment.

IBM's commitment to a diverse workforce reaches to the highest levels of our executive and technical leadership communities. I'm proud of that. But I'm even prouder that IBM is no recent convert to the importance of building a culture of inclusion. This is the way IBM has been managed since its inception. Our tradition of workforce diversity spans decades. And it remains as vital today as our responsibility to deliver healthy returns to our shareholders.

*Louis V. Gerstner, Jr.
Chairman and Chief Executive Officer
IBM Corporation*

Steps You Can Take

"We have become accustomed to the concept of equal opportunity for some time now, and the reason is clear. Employment decisions based on merit and ability lead to a workplace that values diversity and finds strength in its people."

John Friday, MBA, CMA, CA, CHRP, President, Human Resources Professionals Association of Ontario

Employers who have experience with equal opportunity say that it succeeds best when it is recognized as a strategic, bottom-line issue; when its principles are actively integrated into employment policies and practices; and when the organization helps management and staff understand and value differences.

On the following pages are some of the key objectives that employers have found can help achieve equal opportunity in the workplace, and examples of possible initiatives.

"Like other municipalities in Ontario, the Town of Markham is experiencing rapid change — and change brings many challenges. Equal opportunity helps us turn these challenges into advantages because it recognizes the vitality of diversity and the potential it has to enrich our communities. Equal opportunity doesn't happen overnight — and it doesn't happen by itself. It requires leadership and action. That is why I encourage everyone — councillors, residents, community groups, businesses and institutions — to work together to build communities that maximize everyone's contribution."

W. Donald Cousens, Mayor, Town of Markham

OBJECTIVE

Make employment decisions on individual merit and actual job requirements.

Examples

- Broaden the search for qualified candidates by revising and expanding advertising and recruitment strategies.
- Review and revise qualification specifications and job descriptions to ensure they are based on real job requirements and don't exclude qualified candidates.
- Assess employment practices to see if they give appropriate consideration to education and experience gained outside Canada.

WORLD EDUCATION SERVICES CANADA

Skilled workers who were educated and trained outside Canada may have difficulty finding meaningful work in Ontario because their education qualifications are not recognized.

World Education Services (WES) Canada, a not-for-profit agency with an international reputation for high quality services, has opened an academic credential assessment service in Toronto. **WES Canada** evaluates foreign secondary and post secondary diplomas and degrees from over 180 countries against Ontario standards. Fair, accurate and consistent assessments can help employers and others better understand foreign qualifications.

ONTARIO COLLEGE OF PHARMACISTS, UNIVERSITY OF TORONTO FACULTY OF PHARMACY, AND A.C.C.E.S.

Lack of information about their occupation, lack of assessment tools and lack of occupational language training have been identified as barriers to entry for many immigrants. The Sector-specific Terminology, Information and Counselling (STIC) program is a unique series of workshops designed to address these barriers. Participants learn about their occupation in a Canadian context, including licensing and certification requirements and labour market conditions.

The **Ontario College of Pharmacists** and the **University of Toronto Faculty of Pharmacy**, in partnership with a community agency, **A.C.C.E.S.** (Accessible Community Counselling and Employment Services) developed and delivered Pharmacy STIC, a bridging program to familiarize foreign-trained pharmacists with pharmacy practice and labour market conditions in Ontario.

OBJECTIVE

Identify and eliminate barriers to fairness.

Examples

- Review existing employment policies, practices and procedures to identify barriers that might be hindering people from fully participating in the workplace on the basis of merit and ability.
- Implement a workplace education program to create awareness and understanding of the business benefits of diversity.
- Review policies and practices to determine how the needs of persons with disabilities can be met in a manner that respects their dignity.

THE TOWN OF AJAX

The **Town of Ajax** recognizes the importance of ensuring that the Town's employees are aware and sensitive to the wide array of diverse groups within its community. In response, in 1998, the **Town of Ajax** decided to create a Diversity Council, made up of Town employees.

The Diversity Council began by working with an external consultant to help develop a diversity awareness plan for Town employees. A primary goal was to provide peer training on diversity for Town employees, and council members participated in train-the-trainer sessions.

Council members have facilitated numerous diversity-training sessions, which focus on raising employee awareness and providing training around differences - gender, disability, race, sexual orientation and religion.

During the sessions, employees made recommendations for promoting diversity, which were included in the **Town of Ajax's** diversity action plan.

LENNOX INDUSTRIES (CANADA) LTD.

"In 1983, I was diagnosed with multiple sclerosis. Many people are afraid to tell their employer when they are afflicted with a chronic medical condition, but I felt I should be open with **Lennox**. As my condition progressed, I needed to use a scooter to get around, and so a concrete ramp and an accessible washroom with a phone was installed.

Later, **Lennox** set up a mini office in my home so I could still work on days when I was not able to get into the office due to fatigue. This greatly enhanced my ability to perform my duties and helped reduce the stress I would have felt had I not been able to finish my work.

While these accommodations were initially implemented on my behalf, they have given **Lennox** an opportunity to tap into another valuable, and previously unavailable section of the labour force — the physically challenged worker." *Employee*

OBJECTIVE

Prevent and respond effectively to workplace harassment and discrimination.

Examples

- Distribute and display a statement affirming the organization's commitment to a workplace where diversity is respected, valued and accommodated.
- Provide management and staff with information and education that enables them to recognize and prevent inappropriate behaviour.
- Develop policies and procedures that effectively address complaints and discourage future occurrences. These initiatives could include advice and counselling for management and staff.
- Clearly define, for all employees, the disciplinary measures that would be taken should the above policies and procedures not be followed, and should complaints be found to be valid.

COMMITMENT TO MUTUAL RESPECT AT UNION GAS

CLEARING THE PATH TO MUTUAL RESPECT

- By emphasizing the integration of the issues of diversity as part of its business processes, **Union Gas** provided clear direction on its corporate expectations and established “mutual respect” as a theme in its corporate ethos.
- Because senior management championed the Mutual Respect Policy with the same prominence as any other business initiatives, the policy was more effective and more readily accepted by employees.
- Employees at **Union Gas** now have a better understanding of what is inappropriate and unacceptable behaviour. At the same time, they have been provided with support and options to respond appropriately and with confidence to problematic workplace situations.

MUTUAL RESPECT POLICY AT UNION GAS

POLICY FOR A HARASSMENT-FREE WORK ENVIRONMENT

“All management and union executive of **Union Gas** are committed to providing a work environment in which all employees have the opportunity to work and contribute to their maximum potential. It is our belief that our employees have the right to a harassment-free work environment characterized by mutual respect and co-operation. We also believe that all those having a business relationship with **Union Gas** are entitled to be treated with dignity and respect. To that end, all managers are accountable for fostering a working environment where harassment is not tolerated, and must take appropriate and timely action whenever they have actual knowledge of harassment.”

Excerpted from Union Gas Limited's Mutual Respect Policy

OBJECTIVE

Acknowledge and accommodate individual difference.

Examples

- Develop policies and training programs that encourage supervisors to understand the business benefits of flexible management practices that accommodate employees' differences.
- Implement procedures to accommodate the specific needs of persons with disabilities which respect their dignity and help maximize their contribution to the organization.
- Provide a statement outlining the organization's willingness to value diversity and to accommodate differences in order to maximize productivity.

LOBLAWS SUPERMARKETS LIMITED

In conjunction with the Community Living Associations across Ontario, **Loblaws Supermarkets Limited** has created the Work Experience Program, aimed at giving people with intellectual disabilities training, employment opportunities at **Loblaws** stores.

"Loblaws is an exemplary employer. It recognizes the barriers that separate companies and disability organizations from each other. The Work Experience Program has resulted in a direct link between local **Loblaws** stores, local service providers and people with intellectual disabilities. All four of the **Loblaws** stores in London continue to employ people with developmental disabilities."

Yvonne Rensen, Employment Specialist, Community Living London

"It is encouraging to note the number of employers who are realizing the bottom-line benefits of removing physical and attitudinal barriers and hiring persons with disabilities. For years I've heard people say employers would never buy into it. Clearly, they are wrong. A very positive transition is now taking place — and future-oriented companies have decided to open the door to the full workplace participation of Ontarians with disabilities."

Patrick Watson, Canadian Abilities Foundation

Strategies for Success

"Ernst & Young promotes diversity as a cornerstone in developing our future workforce and becoming your employer of choice. Our *Diversity Vision and Values* articulates our commitment to a workforce composed of people with different backgrounds and experiences. We provide diversity awareness training to anyone who has people management responsibilities, and we have a full-time director of diversity and a diversity advisory council responsible for embedding the principles of diversity within firm programs and practices."

Excerpted from Ernst & Young Web site

Each organization is different and develops its own approach to equal opportunity, but certain elements appear to be integral to its successful achievement in the workplace.

Link to Corporate Objectives – by identifying areas where the whole organization can benefit from initiatives that support equal opportunity; reviewing achievements; and tracking progress.

Show Leadership – by creating a climate of openness towards and respect for diversity; communicating its benefits; and initiating and encouraging activities that create a work environment where diversity is recognized, valued and effectively managed.

Provide Training Opportunities – for all employees, but particularly for those in positions of leadership and authority, to help them: develop the knowledge and skills that are necessary to deal effectively with their colleagues in a diverse workplace; understand the importance of valuing diversity; and develop ways of making productive and effective use of diversity by turning it into a competitive business advantage.

Encourage Active Employee Participation – by providing opportunities for all employees to play a role in achieving equal opportunity and to get involved in initiatives that promote change; and by involving them in the design and delivery of such activities.

“Diversity at Motorola means a workplace where individual differences are recognized and appreciated, respected, and responded to in ways that fully develop and utilize each person’s talents and strengths. A diverse workforce that comes to us from many backgrounds, cultures and lands enriches us. We rely upon our people to develop innovative products for world markets, and to create compelling solutions for our customers. No one can succeed alone. Today, diversity, dedication, teamwork and a shared common vision are the right ingredients for success, at Motorola, and for Ontario.”

Micheline Bouchard, Chairman, Presidents and CEO, Motorola Canada Limited

For More Information

The Government of Ontario's role in making equal opportunity a reality in our province is that of facilitator. It is bringing together those who have experience with equal opportunity and those who wish to learn more about, and how to benefit from, this important workplace initiative.

The government is supporting this interchange of ideas and experiences in a number of ways — such as providing organizations with access to information, resources and role models that may help with the implementation of their own equal opportunity initiatives. But it is looking to all Ontario employers and employees to support the achievement of equal opportunity in our workplaces. While equal opportunity is a government policy and a management challenge, it is everyone's responsibility.

If you would like to learn more about equal opportunity, there are a number of ways you can do so:

Visit the worldwide Web site at: <http://www.equalopportunity.on.ca>

This site was developed in co-operation with numerous Ontario employers and organizations and is a valuable resource for obtaining information on equal opportunity in the workplace.

Write: The Equal Opportunity and Disability Partnerships Unit
Ministry of Citizenship, 3rd Floor
400 University Avenue, Toronto, Ontario M7A 2R9

E-mail: gtdinfo@mczcr.gov.on.ca

Telephone Information/Referral Line:
416-325-4957; or
1 888 325-4957 toll-free in Ontario.

TTY: 416-326-0148; or
1 888 335-6611 toll-free in Ontario; or
contact us through the Bell Canada Relay Service at
voice number 416-325-6253. We accept collect calls.

For more information on Internationally Trained Workers:

Write: Access to Professions and Trades Unit
Ministry of Training, Colleges and Universities, 12th Floor
900 Bay Street, Mowat Block, Toronto, Ontario M7A 1L2

E-mail: aptinfo@edu.gov.on.ca

Telephone Information/Referral Line:
416-326-9714

Fax: 416-326-6265

"Canadian Manufacturers & Exporters has long advocated that promoting equal opportunity in employment makes good business sense. CME supports the Government of Ontario's approach, which recognizes that it is beneficial to educate employers and others. Canadian Manufacturers & Exporters has worked in partnership with the Government of Ontario on several highly successful equal opportunity partnership projects and will assist our members in implementing voluntary initiatives tailored to their unique circumstances."

*Ian Howcroft, Vice President, Canadian Manufacturers & Exporters, Ontario Division
(formerly The Alliance of Manufacturers & Exporters Canada)*

VISIT
the worldwide Web site:

<http://www.equalopportunity.on.ca>

*A partnership initiative with employers and
employees, facilitated by the Ministry of Citizenship.*

